

22783 U.S. PTO
011504

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.:	D/A2461 (1776-0015)	Total Pages:	3
	First Named Inventor or Application Identifier			
	Stephen K. Herron			
	Express Mail Label No.:	EV 389958726 US		

APPLICATION ELEMENTS See MPEP Chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop: Patent Application Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450				
<div>31355 U.S. PTO 10/758618 011504</div>					
<div>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</div> <div>2. <input checked="" type="checkbox"/> Specification (incl. claims & abstract) (Total Pages: 20)</div> <div>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) (Total Sheets: 3) <input type="checkbox"/> Informal <input checked="" type="checkbox"/> Formal Use Figure 3 for front page of Publication.</div> <div>4. <input checked="" type="checkbox"/> Oath or Declaration (Total Pages: 2) a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) (Note Box 5 below) <input type="checkbox"/> i. <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</div> <div>5. <input type="checkbox"/> Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</div> <div>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</div> <div>7. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (Identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies</div>					
ACCOMPANYING APPLICATION PARTS					
<div>8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</div> <div>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney</div> <div>10. <input type="checkbox"/> English Translation Document (if applicable)</div> <div>11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</div> <div>12. <input type="checkbox"/> Preliminary Amendment</div> <div>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</div> <div>14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</div> <div>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed)</div> <div>16. <input checked="" type="checkbox"/> Other: Petition Under 37 CFR 1.47(b) including Exhibits A, B, C, D and E; Form PTO-1595 Recordation Cover Sheet; and Executed Proprietary Information and Conflict of Interest Agreement</div>					
17. <input type="checkbox"/> If a CONTINUING APPLICATION , check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: /					
18. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Same as prior application <input checked="" type="checkbox"/> Correspondence address below					
NAME	Paul J. Maginot				
ADDRESS	MAGINOT, MOORE & BECK LLP, Bank One Center/Tower, 111 Monument Circle, Suite 3000				
CITY	Indianapolis	STATE	Indiana	ZIP CODE	46204-5115
COUNTRY	USA	TELEPHONE	317-638-2922	FAX	317-638-2139

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19. ☒ The filing fee is calculated below:

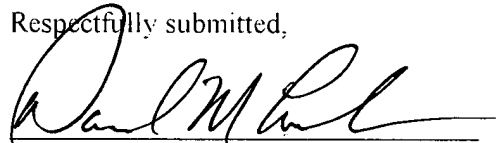
CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	16 - 20 =	0	X \$ 18	= \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =	0	X \$ 86	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	\$ 290	= \$0.00
BASIC FEE (37 CFR 1.16(a))				\$770.00
TOTAL				= \$ 770.00

20. ☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to **Xerox Corporation**, Account No. 24-0037. *An additional copy of this form is enclosed.*
21. ☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.
22. ☐ A CIP declaration is enclosed.
23. ☒ Power of Attorney
- a. ☐ The power of attorney appears in the original papers of the enclosed prior application.
- b. ☐ Enclosed is a copy of the declaration and power of attorney from the enclosed prior application.
- c. ☒ A new declaration with power of attorney is enclosed.
24. ☐ The following inventors named in the prior application are deleted per 37 CFR 1.53(b)(1), 1.63(d)(2) and 1.33 (b):

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25. ☐ This application is adding one or more inventors under 37 CFR 1.48 to a previously executed application, with an enclosed: petition, fee, newly executed declaration from all inventors, and written consent of the assignee.
26. ☐ This application claims the priority benefit of one or more Provisional Application No(s). and the first sentence of this application has been or will be amended to so indicate.
27. ☐ This application is NOT to be published under 35 U.S.C. 122(b). The undersigned attorney or agent hereby certifies pursuant to 37 CFR §1.213, that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
28. ☒ The assignee of this application to be indicated on its publication is Xerox Corporation.
29. ☐ Other paper(s) enclosed:

Respectfully submitted,



David M. Lockman

Signature per 37 CFR 1.33 & 34

Registration No. 34,214

Telephone No. 317-638-2922

PAUL J. MAGINOT
HAROLD C. MOORE
BRUCE J. BOWMAN
DAVID M. LOCKMAN Δ
MICHAEL D. BECK
DAVID B. QUICK

Δ OF COUNSEL - GEORGIA BAR ONLY

MAGINOT, MOORE & BECK LLP

PATENT AND TRADEMARK ATTORNEYS

BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE, SUITE 3000
INDIANAPOLIS, INDIANA 46204-5115

TELEPHONE (317) 638-2922

FACSIMILE (317) 638-2139

October 29, 2003

Via Federal Express

Stephen K. Herron
231 Eight Mile Point Road
Orilla, Ontario
CANADA L3V6H1

Re: Draft U.S. Patent Application
Entitled: Method and System for Preparing Grayscale Image Files for
Highlight Printing on a Four Color Printer
MMB Docket No. 1776-0015
Xerox Reference No. D/A2461

Dear Mr. Herron:

You are listed as an inventor in connection with the draft Xerox patent application entitled "Method and System for Preparing Grayscale Image Files for Highlight Printing on a Four Color Printer." Accordingly, we have enclosed a copy of the draft patent application and drawings for your review. Please review these documents at your earliest convenience and let us have your comments and/or additions. I can be reached at the following addresses and telephone/facsimile numbers:

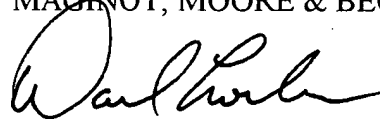
David M. Lockman
Maginot, Moore & Beck LLP
Bank One Center/Tower
One Monument Circle, Suite 3000
Indianapolis, Indiana 46204-5115
Telephone: 317-638-2922
Facsimile: 317-638-2139
dmlockman@maginot.com

Stephen K. Herron
October 29, 2003
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We look forward to the timely receipt of your comments. In the interim, please contact me should you have any questions.

Very truly yours,

MAGNOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read "David M. Lockman", written over the printed name.

David M. Lockman

Enclosure(s)
DML/mnl

David Lockman

From: "Stephen Herron" <stephen@isisimaging.com>
T : <dmlockman@magnet.com>
Sent: Thursday, October 30, 2003 12:55 PM
Subject: Docket No. 1776-0015

Dear Mr. Lockman,

Thank you for your draft of "Method and System for Preparing Grayscale Image Files for Highlight Printing on a Four Color Printer."

I was laid off without cause from Xerox on November 18, 2002. My terms for reviewing and signing over this patent is the same as my other patent reviews. Upon receipt of a cheque for \$500, I will spend no more than 10 hours considering the patent and will sign the patent to Xerox.

REDACTED

Thank you.

Please note that next month I will be relocating to Irvine, CA and beginning a position at Toshiba. I will be as prompt as possible, but under the circumstances, I may not be available for weeks at a time.

Stephen Herron
705-329-3045

12/5/2003

David Lockman

From: "Stephen Herron" <stephen@isisimaging.com>
To: <dmlockman@maginot.com>
Sent: Wednesday, November 05, 2003 2:46 PM
Subject: Re: Docket No. 1776-0015, Xerox Ref D/A 2461

Dear David:

This invention idea was rejected twice by Xerox's review committees. During the one and half years since my original proposal, many products in this area of technology have been released. It is my view that this patent proposal would therefore have considerable prior usage to contend with and may be rejected by the patent office.

I regret that I am unable to assist you with this patent application.

Thank you.

Regards,

Stephen Herron

REDACTED

12/5/2003

David Lockman

From: "David Lockman" <dmlockman@maginot.com>
To: "Stephen Herron" <stephen@isisimaging.com>
Cc: "McMillan, Gail" <Gail.McMillan@usa.xerox.com>; "Paul J. Maginot" <pjmaginot@maginot.com>
Sent: Thursday, November 06, 2003 10:17 AM
Subject: D/A2461 (1776-0015)

Dear Mr. Herron:

In response to your email of November 5, 2003 informing us that you will not assist us with the preparation of the application draft that was sent to you by mail and email, Xerox has directed us to inform you that we will proceed with the filing of the patent application without your signature that you are legally obligated to provide. We will advise the U.S. Patent Office that you would not sign the application. Please be advised that you have 10 days from the date of this email to contact us should you decide to cooperate in the filing of this application.

Sincerely,

David M. Lockman
MAGINOT, MOORE & BECK
111 Monument Circle, Suite 3000
Indianapolis, IN 46204-5115
(317) 638 2922
(317) 638 2139 (fax)

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12/5/2003